

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL JONES,

Defendant/Petitioner.

Case Nos. 2:15-cr-00174-KJD-BNW
2:18-cr-00023-KJD-BNW

2:24-cv-00556-KJD
2:24-cv-00560-KJD

ORDER

Presently before the Court are Petitioner's Motions to Withdraw Motion Under 28 U.S.C. § 2255. (ECF No. 503, 2:15-cr-00174-KJD-BNW) and (ECF No. 152, 2:18-cr-0023-KJD-BNW). Petitioner filed the underlying motions pursuant to § 2255 on March 21, 2024. (ECF Nos. 467 and 136 respectively). The Government filed responses in opposition in each case. (ECF Nos. 496 and 145).

Pursuant to the Rules of § 2255 Proceedings, the Federal Rules of Civil Procedures may be applied to § 2255 proceedings to the extent that they are consistent with the statute and Rules of § 2555 Proceedings. Fed. R. §2255 Proc. 12. Pursuant to Federal Rule of Civil Procedure 41(a)(2), an action may be dismissed at petitioner's request only by court order on terms that the court considers just and proper. Here, petitioner has moved to withdraw his petition. The Court finds no proper reason to deny petitioner's motion. Accordingly, the motion to withdraw is granted and Petitioner's § 2255 motion is denied without prejudice.

Further, the Court finds compelling reasons and good cause, pursuant to *Kamakana v. City and County of Honolulu*, 447 F.3d 1172 (9th Cir. 2006), to grant Petitioner's and the Government's motions to seal.

IT IS HEREBY ORDERED that Petitioner's Motions to Withdraw Motion Under 28 U.S.C. § 2255 (ECF Nos. 503 and 152) are **GRANTED**;

1 IT IS FURTHER ORDERED that Petitioner's Motions to Vacate, Set Aside, or Correct
2 Sentence under 28 U.S.C. § 2255 (ECF No. 467 and 136) are **DISMISSED without prejudice**.

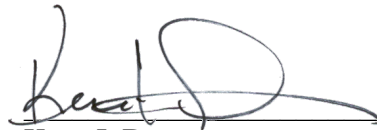
3 IT IS FURTHER ORDERED that the Clerk of the Court close the corresponding civil
4 actions in 2:24-cv-00556-KJD and 2:24-cv-00560

5 IT IS FURTHER ORDERED that Petitioner's Motions to File Under Seal in each case
6 (ECF Nos. 468 and 137) are **GRANTED**.

7 IT IS FURTHER ORDERED that the Government's Motions to File Response Under
8 Seal in each case (ECF Nos. 497 and 146) are **GRANTED**.

9 IT IS FURTHER ORDERED that Defendant's Motions for a Hearing in each case (ECF
10 Nos. 149) are **DENIED as moot**.

11 DATED: June 26, 2025

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14 Kent J. Dawson
United States District Judge